

REMARKS

The application has been reviewed in light of the Office Action dated April 6, 2004. Claims 1-16 are pending. The Office Action indicates that claims 9-16 are allowed, and claim 6 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. By this Amendment, claim 6 has been amended by rewriting the claim in independent form including all of the limitations of the base claim and any intervening claims, and claim 1 has been amended to clarify the claimed invention. It is submitted that no new matter has been introduced by the present amendment. Accordingly, claims 1-8 are presented for reconsideration, with claims 1 and 6 being in independent form.

Applicant appreciates the Examiner's statement in the Office Action of reasons for the allowability of claims 9-16, and submits that the allowed claims recite subject matter which further supports patentability for reasons in addition to those identified in the reasons for the allowability of claims 9-16.

Claims 1, 3 and 5 were rejected under 35 U.S.C. § 102(b) as purportedly anticipated by U.S. Patent No. 3,924,307 to Tate. Claims 2, 4, 7 and 8 were rejected under 35 U.S.C. § 103(a) as purportedly obvious over Tate in view of U.S. Patent No. 1,869,032 to Van Buren.

Applicant has carefully considered the Examiner's comments and the cited art, and respectfully submits that independent claim 1 as amended is patentable over the cited art, for at least the following reasons.

In the statement of reasons for the allowability of claims 9-16, the Office Action acknowledges that the cited art does not disclose or suggest the feature of providing an adjustable spacer block positioned

on the spring member so that material is held between the spacer block and the base surface when the spring member is in the closed position.

By this Amendment, independent claim 1 has been amended to include this feature. Accordingly, amended claim 1 and the claims depending therefrom are submitted to be patentable over the cited art.

In view of the comments and claim amendments above, Applicant respectfully submits that the application is in condition for allowance.

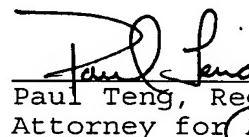
If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition, and the Commissioner is authorized to charge the requisite fees to our Deposit Account No. 03-3125.

The Office is hereby authorized to charge any additional fees that may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Allowance of this application is respectfully requested.

Respectfully submitted,

  
\_\_\_\_\_  
Paul Teng, Reg. No. 40,837  
Attorney for ~~Applicant~~  
Cooper & Dunham LLP  
Tel.: (212) 278-0400